



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

May 21, 1991

Mr. Kevin R. Jung
Legal Division
Texas Air Control Board
6330 Hwy. 290 East
Austin, Texas 78723

OR91-245

Dear Mr. Jung:

You ask whether certain information relating to production volumes and process flow diagrams with respect to El Paso Products and Rexene Corporation, its successor in interest, and with respect to Dynagen, Inc., is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11434.

Pursuant to section 7(c) of the Open Records Act, both Rexene Corporation and Dynagen, Inc., have submitted briefs in support of withholding portions of the requested information (as more fully described in their respective briefs, copies of which are enclosed) under section 3(a)(10) of the Open Records Act, and have established a *prima facie* case that the information in question constitutes trade secrets. Accordingly, you must withhold this information pursuant to the holding of Open Records Decision No. 552 (1990).

Because a prior published open records decision resolves your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-245.

Yours very truly,

A handwritten signature in black ink, appearing to read "John Steiner", is written over a horizontal line.

John Steiner
Assistant Attorney General
Opinion Committee

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JS/lb

Ref.: ID# 11434

Enclosures: Open Records Decision No. 552 (1990)
Briefs

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